

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO

IN RE:

TIMOTHY FRANKLIN MAY  
MELISSA LAINE MAY

Debtors.

)  
)  
) CASE NUMBER 19-40634  
)  
) CHAPTER 13  
)  
) HONORABLE RUSS KENDIG  
)

**TRUSTEE'S OBJECTION TO CONFIRMATION OF DEBTORS' CHAPTER 13 PLAN**

NOW COMES Michael A. Gallo, Standing Chapter 13 Trustee, and hereby objects to confirmation of the debtors' Chapter 13 plan dated April 11, 2019. In support of the within objection, the Trustee states as follows:

**BACKGROUND**

1. On April 11, 2019 the debtors filed a Chapter 13 Plan (Doc. 2).
2. The debtors' plan provides for payments of \$500.00 monthly for a term of sixty months and a 28% dividend to be paid to unsecured creditors.

**BASIS FOR OBJECTION**

**A. Failure to Provide Requested Information to Trustee.**

3. At the Meeting of Creditors, the Trustee requested information relating to the debtors' schedule J-14 expense for tithing.
4. To date, debtors have failed to provide the requested information.
5. Without review of the requested information, the Trustee is unable to determine whether the debtors are contributing all projected disposable income.

**B. Claims Bar Date After Objection Deadline.**

6. Pursuant to Bankruptcy Rule 3002(c), claims bar date is June 20, 2019.

7. Pursuant to Bankruptcy Rule 3015(f), the deadline to file objections to confirmation is June 20, 2019.
8. Since the claims bar date is the same day as the objection deadline, the Trustee is presently unable to determine the feasibility of the plan.
9. The Trustee reserves the right to amend his objection upon review of any additional timely filed claims.

WHEREFORE, for the reasons set forth herein, the Trustee objects to the confirmation of the debtors' plan dated April 11, 2019. In the event the debtors fail to address the matters set forth herein, this case may be dismissed without further notice or hearing.

Dated: June 17, 2019

/s/ Michael A. Gallo  
Michael A. Gallo, Esq.  
Standing Chapter 13 Trustee  
5048 Belmont Avenue  
Youngstown, OH 44505

### **CERTIFICATE OF SERVICE**

I certify that on June 17, 2019, a true and correct copy of Trustee's Objection to Confirmation of Debtors' Chapter 13 Plan was served:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

Robert A. Ciotola, Esq., Attorney for Debtors at: [rac@raciotola.com](mailto:rac@raciotola.com)  
Office of the U.S. Trustee at: (Registered address)@usdoj.gov

And by regular U.S. mail, postage prepaid, on:

Timothy & Melissa May, 6400 Beach Smith Rd., Kinsman, OH 44428

/s/ MICHAEL A. GALLO, TRUSTEE  
MICHAEL A. GALLO, TRUSTEE  
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